

[SCHEDULED FOR ORAL ARGUMENT ON APRIL 11, 2006]

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

ELOUISE PEPION COBELL, et al.,

Plaintiffs-Appellees,

v.

No. 05-5388

GALE A. NORTON,
Secretary of the Interior, et al.,

Defendants-Appellants.

**APPELLANTS' MOTION TO FILE TWO
SUPPLEMENTAL JOINT APPENDIX VOLUMES**

The government hereby requests leave to file the appended supplemental Joint Appendix volumes (Volumes XXII and XXIII). The Joint Appendix filed in this matter on February 24, 2006, inadvertently included a number of public items in volumes designated as under seal. The supplement that we are submitting with this motion reproduces those materials in volumes properly marked as public. For ease of reference, we have not changed the pagination of the documents in question.

We apologize for the error and for any inconvenience to the Court.

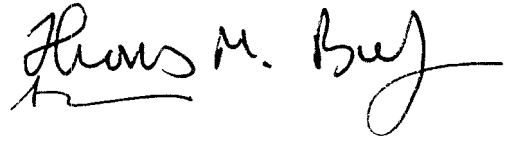
Respectfully submitted,

PETER D. KEISLER
Assistant Attorney General

KENNETH L. WAINSTEIN
United States Attorney

GREGORY G. KATSAS
Deputy Assistant Attorney General

ROBERT E. KOPP
MARK B. STERN
THOMAS M. BONDY
ALISA B. KLEIN
MARK R. FREEMAN
I. GLENN COHEN
ISAAC J. LIDSKY

A handwritten signature in black ink, appearing to read "Thomas M. Bondy", is written over the names of Thomas M. Bondy and Alisa B. Klein.

(202) 514-5089
Attorneys, Appellate Staff
Civil Division, Room 7531
Department of Justice
950 Pennsylvania Ave., N.W.
Washington, D.C. 20530-0001

MARCH 2006

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March, 2006, I caused copies of the foregoing motion to be sent to the Court and to the following by hand delivery:

Keith M. Harper
Native American Rights Fund
1712 N Street, N.W.
Washington, D.C. 20036-2976
(202) 785-4166

G. William Austin
Mark I. Levy
Kilpatrick Stockton
607 14th Street, N.W., Suite 900
Washington, D.C. 20005
(202) 508-5800

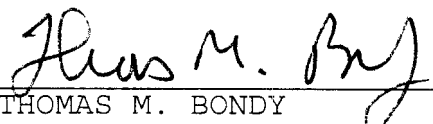
and to the following by federal express, overnight mail:

Elliott H. Levitas
Law Office of Elliott H. Levitas
1100 Peachtree Street
Suite 2800
Atlanta, GA 30309-4530
(404) 815-6450

and to the following by regular, first-class mail:

Dennis Marc Gingold
607 14th Street, N.W.
Washington, D.C. 20005

Earl Old Person (pro se)
Blackfeet Tribe
P.O. Box 850
Browning, MT 59417


THOMAS M. BONDY